

REMARKS

The Examiner takes the position in the outstanding Office Action that Applicant's reply of August 11, 2003 is not fully responsive. The Examiner has requested that Figures 1-2 be labeled as "prior art." Although Applicant does not see in the May 9, 2003 where the Examiner made such a request, a proposed amendment of Figures 1 and 2 that adds a "prior art" legend thereto is enclosed and as noted above, along with a replacement sheet. Figures 1 and 2 are provided in the application for purposes of assisting in the illustration of a number of embodiments of a push-pin assembly that may be used when executing a servo writing operation on a disk drive. Therefore, the inclusion of the "prior art" legend required by the Examiner in relation to Figures 1-2 is not in any way an admission that servo writing using any of the push-pin assemblies of Figures 4-11D is in any way part of the prior art to the above-captioned patent application. Figures 4-11D are directed to the invention of the subject patent application – not the prior art.

The Examiner makes reference in relation to Figure 3 of the above-captioned patent application in the September 4, 2003 communication. For instance, the Examiner "reiterates that figure 3 is part of one of the non-elected species." The undersigned understands that the Examiner has taken the position that Figure 3 was one of multiple species in the above-captioned patent application. Figure 3 illustrates a servo writer 30. A discussion is provided in the above-captioned patent application on using the servo writer 30 of Figure 3 to execute a servo writing operation on the disk drive of 10 of Figures 1-2. The structure of the push-pin pin assembly 40 used by the servo writer 30 is not the subject of any pending claim as previously noted by Applicant. Page 21, lines 19-21 indicates that the push-pin assembly 140 of Figures 4-5 may be used in place of the push-pin assembly 40 of the servo writer 30 of Figure 3. Page 25, lines 18-20 indicates that the push-pin assembly 240 of Figures 6A-6B may be used in place of the push-pin assembly 40 of the servo writer

30 of Figure 3. Page 30, lines 4-6 indicates that the push-pin assembly 340 of Figure 7 may be used in place of the push-pin assembly 40 of the servo writer 30 of Figure 3. Page 33, lines 11-13 indicates that the push-pin assembly 340' of Figures 8A-8B are a variation of the push-pin assembly 340 of Figure 7. Page 35, lines 12-14 indicates that the push-pin assembly 440 of Figure 9 may be used in place of the push-pin assembly 40 of the servo writer 30 of Figure 3. Page 36, lines 20-22 indicates that the push-pin assembly 540 of Figure 10 may be used in place of the push-pin assembly 40 of the servo writer 30 of Figure 3. The presentation of the various figures in the above-captioned patent application avoids repetitious discussion, but yet clearly conveys Applicant's invention. That is, even though the Examiner considers Figure 3 to be a non-elected species, Figure 3 is relevant in relation to the elected species of Figures 10-11D since the subject patent application indicates that the push-pin assembly of elected species Figures 10-11D replaces the push-pin assembly 40 of the servo writer 30 of Figure 3.

The Examiner also notes in the September 4, 2003 Office Action that "Figure 3 is directed to a positioning system of a servo writer which does not show the claimed first disk or the claimed plurality of data storage tracks on the first disk as set forth in the claims." Again and as noted above, the discussion in the above-captioned patent application indicates that the elected species of Figures 10-11D may be used in place of the push-pin assembly 40 of the servo writer 30 of Figure 3, and that the servo writer 30 of Figure 3 may be used to execute servo writing operations on the disk drive 10 of Figures 1-2. The disk drive 10 of Figures 1-2 includes at least one disk 12, and the application indicates that the disk 12 includes a plurality of concentric and annular tracks for storing data (e.g., page 18, lines 17-20). The combination of these various drawings sufficiently supports the pending claims, and Applicant is unaware of any requirement that the various features of a given claim need to be presented in a single drawing. Moreover and as previously noted, the addition of a "prior art"

legend to Figures 1-2 is not an admission that the use of the push-pin assembly 540 of Figure 10 in place of push-pin assembly 40 of the servo writer 30 to perform a servo writing operation on the disk drive 10 of Figures 1-2 is in any way prior art to the above-captioned patent application.

Applicant acknowledges that a plurality of data storage tracks are not illustrated in any of the drawings. However, Applicant notes that the pending claims are in the form of a method for performing a servo writing operation on a disk drive. MPEP §601.01(f) provides that "it has been USPTO practice to treat an application that contains at least one process or method claim as an application for which a drawing is not necessary for an understanding of the invention under 35 U.S.C. 113." The various features of the push-pin assemblies set forth in the claims are clearly illustrated in the drawings, as well as how the same is used in a servo writing operation. Therefore, Applicant does not believe that it is necessary to amend/add any figure in the above-captioned patent application to show a plurality of tracks on a disk.

In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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